

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

ALESSIO EMANUEL	]	
Plaintiff,	]	
	]	
v.	]	No. 3:13-0726
	]	Judge Campbell
STATE OF TENNESSEE	]	
Defendant.	]	

M E M O R A N D U M

The plaintiff, proceeding *pro se*, is a resident of Nashville. He brings this action against the State of Tennessee, seeking injunctive relief and damages.

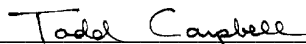
The plaintiff claims that the State of Tennessee has violated his constitutional rights. More specifically, he appears to allege that his probation was revoked without cause, leading to thirteen (13) months of false imprisonment.

The Eleventh Amendment bars a suit in federal court by a citizen against a state or its agencies unless the state has expressly consented to suit by waiving its sovereign immunity or Congress has clearly overridden that immunity. Pennhurst State School and Hospital v. Halderman, 104 S.Ct. 900, 908 (1984); Will v. Michigan Department of State Police, 109 S.Ct. 2304, 2312 (1989).

Congress has not overridden a state's sovereign immunity to

civil rights complaints. Moreover, the State of Tennessee has not consented to waive its immunity to such actions. Berndt v. Tennessee, 796 F.2d 879 (6th Cir.1986). Therefore, faced with the defendant's sovereign immunity, the plaintiff has failed to state a claim upon which § 1983 relief can be granted. Under such circumstances, the Court is obliged to dismiss the instant action *sua sponte*. 28 U.S.C. § 1915(e)(2).

An appropriate order will be entered.

  
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Todd Campbell  
United States District Judge